

REMARKS

Initially, in the Office Action dated May 13, 2003, the Examiner rejects claims 1, 2, 3, 5, 6, 7, 8, 10 and 11 and 15-21 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,281,931 (Bailey et al.) Claims 9, 12, 13 and 14 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Bailey et al. and further in view of U.S. Patent No. 5,550,520 (Kobayashi). Claims 1-21 remain pending in the present application.

Examiner Interview

Applicants thank the Examiner for the interview held August 12, 2003. At the interview, agreement was reached that Bailey et al. did not disclose the limitations in the claims of the present application and that the Examiner would perform another search after receipt of this response.

35 USC §102 rejections

Claims 1-3, 5-8, 10, 11 and 15-21 have been rejected under 35 U.S.C. §102(b) as being anticipated by Bailey et al. Applicants traverse these rejections and reassert all arguments submitted in Applicants' previous responses to previous Office Actions. Moreover, as was discussed and agreed to at the Examiner interview, Bailey et al. does not disclose or suggest anything related to an oscillator, or configuring a filter as an oscillator, or tuning the oscillator, or reconfiguring the oscillator to act as a filter, as recited in the claims of the present application. These assertions have been stated in previous response of Applicants. To aid the Examiner, these limitations are discussed in Applicants' specification at, among

other places, page 5, lines 1-8, page 5, line 21 through page 6, line 5, and Figs. 3 and 5.

Accordingly, Applicants submit that Bailey et al. does not disclose or suggest the limitations in the combination of each of claims 1-3, 5-8, 10, 11 and 15-21 of the present application. Applicants respectfully request that these rejections be withdrawn and that these claims be allowed.

35 USC §103 rejections

Claims 9, 12, 13 and 14 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Bailey et al. and further in view of Kobayashi. Applicants traverse these rejections for the same reasons noted previously, and further assert that Kobayashi does not overcome the significant defects noted regarding Bailey et al.

Accordingly, Applicants submit that neither Bailey et al. not Kobayashi, taken alone or in any proper combination, disclose, suggest or render obvious the limitations in the combination of each of claims 9, 12, 13 and 14 of the present application. Applicants respectfully request that these rejections be withdrawn and that these claims be allowed.

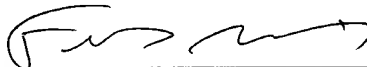
In view of the foregoing remarks, Applicants submit that claims 1-21 are in condition for allowance. Accordingly, early allowance of such claims is respectfully requested.

U.S. Application No. 09/917,704

To the extent necessary, the applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, or credit any overpayment of fees, to the deposit account of Antonelli, Terry, Stout & Kraus, LLP, Deposit Account No. 01-2135 (referencing attorney docket no. 1076.40413X00).

Respectfully submitted,

ANTONELLI, TERRY, STOUT & KRAUS, LLP

A handwritten signature in black ink, appearing to read 'Frederick D. Bailey', written over a horizontal line.

Frederick D. Bailey
Registration No. 42,282

FDB/sdb
(703) 312-6600